

# PLANNING COMMISSION REPORT



MEETING DATE: April 28, 2004

ITEM NO. \_\_\_\_\_ GOAL: Coordinate Planning to Balance Infrastructure

## SUBJECT

**Goldie Brown Pinnacle Peak Ranch - 3-AB-2004**

## REQUEST

Request to consider the following:

1. Abandon 55 ft. along 112th St. on the west side of the site, abandon 30 feet along Morning Vista Road on the north side of the site, and abandon 40 feet along Via Dona Road on the south side of the site. Each of the areas is presently dedicated as a public utility and roadway easement.
2. Dedicate 30 feet (half street) right of way along 114th Street plus an 8-foot wide PUE (Public Utility Easement), dedicate a 25-foot wide emergency vehicle access and public utility easement along the easterly portion of Morning Vista Road on the north side of the site, and dedicate and 8-foot wide PUE along the Via Dona Road alignment on the south side of the site.

### Related Policies, References:

- Land was annexed from the county in 1982 as Rural-43
- Rezoned in 1982 by Case 32-Z-82 to R1-190 (Single Family Residential) District.

## OWNER

David Schwan  
480-419-6307

## APPLICANT CONTACT

Pinnacle Engineering/ PETER BELLIS  
480-585-6013

## LOCATION

11303 E Morning Vista Rd

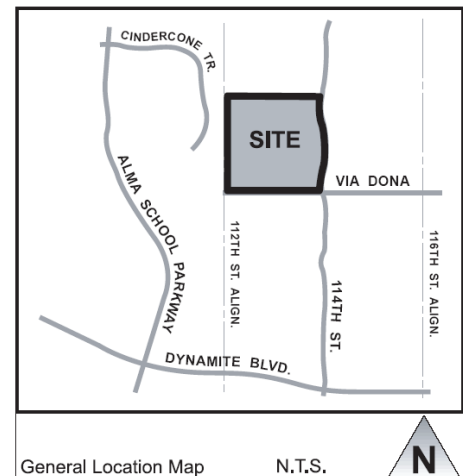
## BACKGROUND

### Background.

The Goldie Brown 30 to 55 foot wide, half street easements located along all four sides of the 40 acre property were dedicated by the original Goldie Brown Ranch owners while the land was located in the County. Following annexation of the land, the easements remained in effect on the land. Generally, the City has only required 20 to 30 foot wide half street road right of way widths to accommodate local residential or minor collector streets in this area. Where dedication of streets has been required, the excess portions of the Goldie Brown easements have been considered for abandonment. A lot tie was approved (35-LT-02) for the site in 2003 combining 3 lots into a single 40-acre lot. The City approved a single-family residential house construction permit on the lot in 2002. No GLO easements are located on this property.

### Zoning.

The site is zoned Single Family Residential (R1-190 ESL) District. This



zoning district allows for single-family residential lots and related uses on parcels of 190,000 square feet (4.36 acres) or greater.

**Context.**

This subdivision is located along the west side of 114th Street, south of Morning Vista Road, about 1 mile north of Dynamite Blvd. The surrounding property is zoned R1-190 ESL to the north and east side of the site, while the R1-70 ESL Troone Verde and R1-43 ESL Boulder Crest subdivisions are located to the south and west of the site, respectively.

**APPLICANT'S  
PROPOSAL****Goal/Purpose of Request.**

This request is to:

- Abandon 55 feet along 112th St. on the west side of the site, which contains an existing 55 foot wide half street Goldie Brown easement, but is not required for road dedication or public utility easement by the City,
- Abandon 30 feet along Morning Vista Road on the north side of the site which contains an existing 30-foot wide half street Goldie Brown easement, and dedicate a 25 foot wide emergency vehicle access and Public Utility Easement along the eastern portion of the road alignment,
- Abandon 40 feet along Via Dona Road on the south side of the site, which contains an existing 40-foot wide half street Goldie Brown easement, and dedicate an 8-foot wide Public Utility Easement, and
- Dedicate a 30 feet wide roadway along 114th St. on the east side of the site, which contains an existing 30 foot wide Goldie Brown easement, plus dedicate an 8 foot wide, on-lot Public Utility Easement (PUE).
- No dedication of public trail easements is required with this case.

**Key Issues.**

**CITY IMPACT:** As the development of this area occurs, subdivisions are less dependent on the original overall grid pattern and more dependent on the internal road system designed to provide traffic circulation to the plat. In this area, plats exist to the south, west and northwest of the site eliminating the need for dedication of grid pattern streets since the adjoining lots are provided alternate means of access by the internal street system. In addition, road easements where required, such as along 114<sup>th</sup> St. will be dedicated as road right-of-way as part of this application, to provide access to this area and the lands to the north. As a result, the former street easements are no longer needed and are suitable for abandonment.

**NEIGHBORHOOD IMPACT:**

- Neighbors to the north of the site will benefit by the dedication of the required 30-foot half street right of way for 114th Street.
- Neighbors to the west and south sides of the site are not affected by the abandonment of the 55 foot wide half street Goldie Brown easement along 112th St. on the west and the 40 foot wide half street along the Via Donna Road alignment on the south side of the site since these roads are not intended to be constructed and the rights of way are not required to provide access to the adjacent properties.
- Property owners west and south of the site are in platted communities where their portions of the affected streets have previously been

abandoned. Abandonment of the additional portions does not affect these neighbors.

- The property owner to the north has direct access from 114<sup>th</sup> St.

**PROPERTY OWNER IMPACT:**

- The result will be to abandon unnecessary areas of the Goldie Brown easements adjacent to the property while providing for necessary road right of way dedication along the east side of the site. Dedication of necessary PUE and emergency vehicle access easements are provided.

**Community Impact.**

Impact of the abandonment will be positive for the community in that it clarifies the Goldie Brown easements in this area and implements the right of ways required by City policy necessary to provide access to properties in this area.

IMPACT ANALYSIS

**Departmental Responses.**

City Department/Division participants concur with this abandonment request. See Department Issues Checklist (Attachment #1).

**Trails Impact Summary.**

The Trails Master Plan does not require the dedication of trails in this area.

**Policy Implications.**

The abandonment's and dedication are in conformance with city policy and reflect the road right of way dedications required for this area. The abandonment areas are not required to provide access to the adjacent properties. Affected public utility companies have consented to the abandonment's. No GLO easements are located on the property.

**Community Involvement.**

The applicant has contacted neighbors within 300 feet of the site and no objections to the abandonment have been received. Staff has received no objections to the abandonment.

STAFF

RECOMMENDATION

**Recommended Approach:**

Staff recommends approval, subject to the following stipulations,

1. Dedication of a 30 foot half street right of way along the site's 114<sup>th</sup> St. frontage
2. Dedication of a 25 foot wide emergency vehicle access easement along the site's Morning Vista Road alignment with standard of construction, length of access and turn-around provisions, as required by Rural Metro, with a corresponding PUE to be placed over said emergency vehicle access easement
3. An 8 foot wide PUE be placed on the site adjacent to 114<sup>th</sup> St. and the Via Dona Road alignment

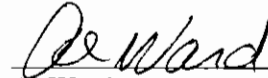
RESPONSIBLE  
DEPT(S)

**Planning and Development Services Department**

**STAFF CONTACT(S)**

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**APPROVED BY**



Al Ward  
Report Author



Kurt Jones, AICP  
Current Planning Director

**ATTACHMENTS**

1. Departmental Checklist
2. Context Aerial
3. Detail Aerial
4. Area Trails Plan
5. City Notification Map
6. Abandonment Area

# **CASE 3-AB-2004**

## **Department Issues Checklist**

### **Transportation**

☒ Support, this application was reviewed by the AB/LS Committee on 4/12/04 and was approved according to the provisions contained in the report including abandonment, dedication and provision of easements.

### **Trails**

☒ Support, the City Trails Planner has been contacted regarding the abandonment of right-of-way easements proposed by this case and that the City Master Trails Plan does not include any trail alignments adjacent to this site and that no public trails easements are required.

### **Adjacent Property Owner Notification**

☒ Support, property owners within 300 feet of the site have been contacted regarding the abandonment and no objections have been received.

### **Public Utilities**

☒ Support, letters of notification of the abandonment have been sent to the following utility companies; Southwest Gas Corp, Qwest, Cox, SRP, and APS. None of the companies had any objection to the abandonment, however, Southwest Gas requested dedication of and 8 foot wide PUE along the south side of the site at the Via Donna alignment. This easement will be dedicated with the abandonment approval.

### **Emergency/Municipal Services**

☒ Support, Rural Metro has requested 2 hire hydrants along the Morning Vista Dr. alignment as part of the single-family residence review approval for this site. With the abandonment, Rural Metro has also requested dedication of a 25-foot wide emergency vehicles access easement along the easterly portion of Morning Vista. This easement will be dedicated along with the abandonment approval.

### **Water/Sewer Services**

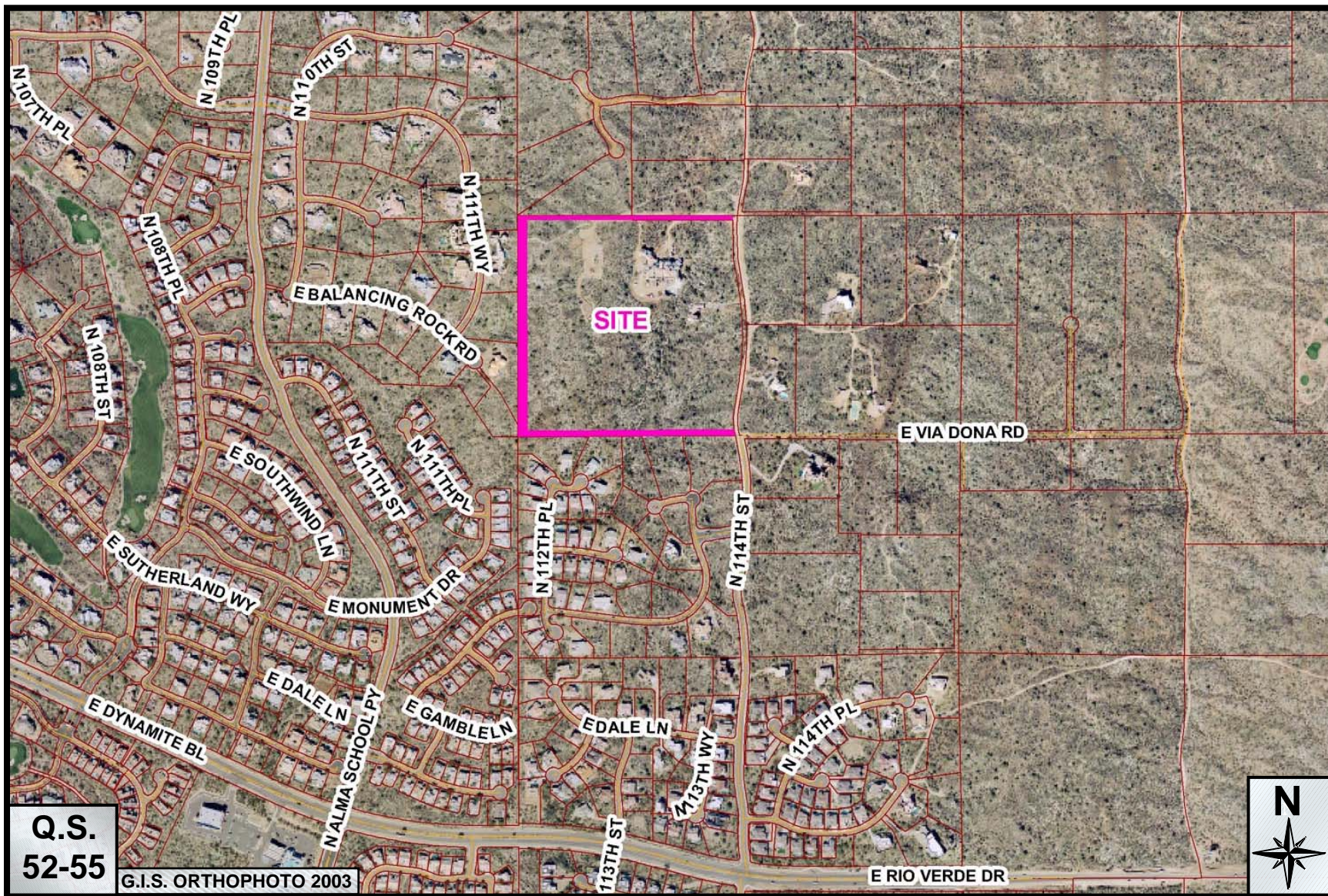
☒ Support, Water Resources indicates that a water and sewer line are being constructed within the 114<sup>th</sup> St. right of way of which the applicant is dedicating a 30 foot wide half street as part of this application. In addition, Water Resources is requesting dedication of a 25 foot wide PUE to overlap

the emergency vehicles access easement along Morning Vista to support and existing water service line to this site. Eight (8) foot wide PUE's are also provided along Via Dona and 114<sup>th</sup> St. on the site as part of the abandonment.

Drainage

☒ Support, no issues have been raised regarding drainage on this property with respect to the abandonment. All drainage easements as required on this site were provided at the time of the single-family review and building permit approval.



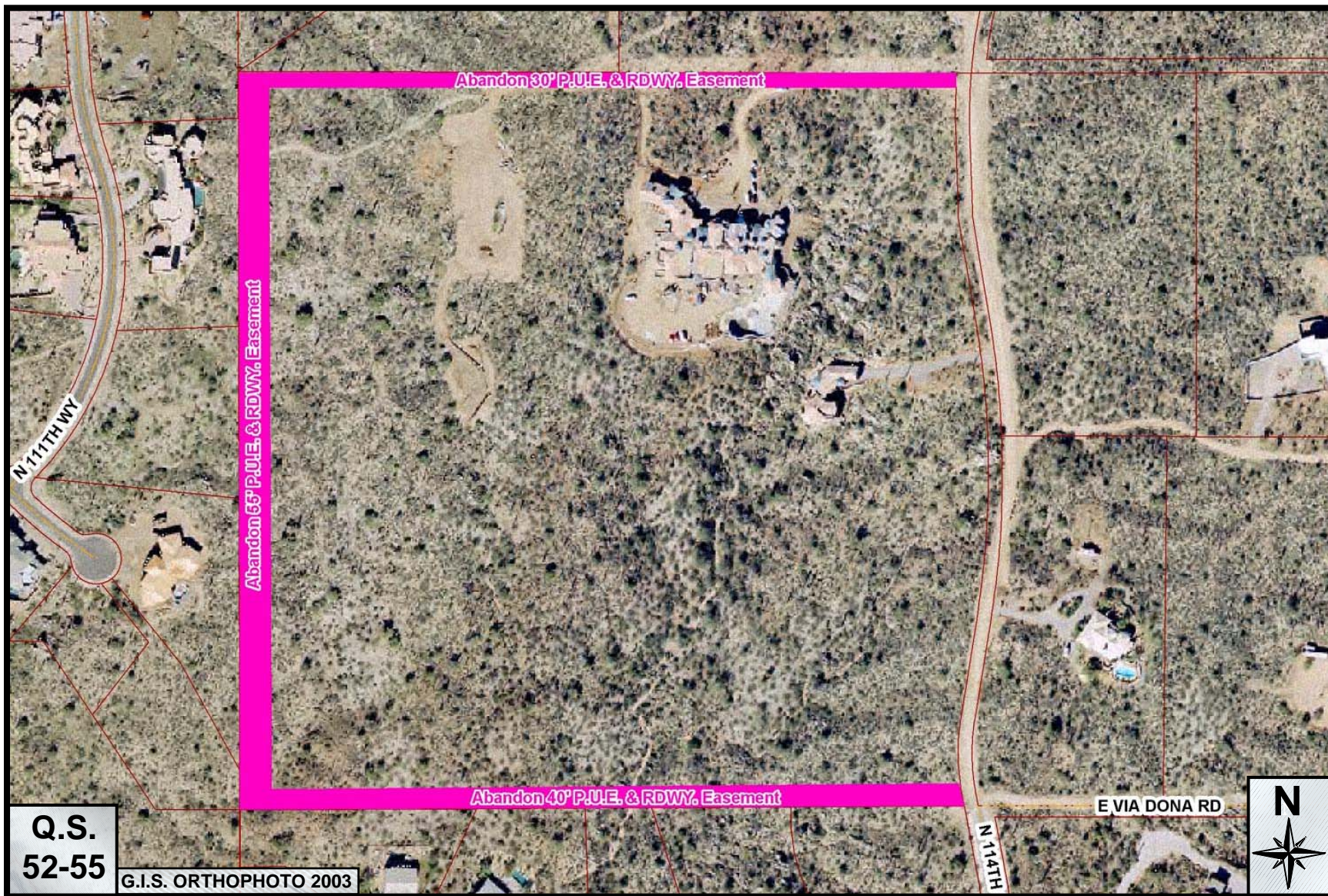


**Goldie Brown Pinnacle Peak Ranch**

**3-AB-2004**

ATTACHMENT #2



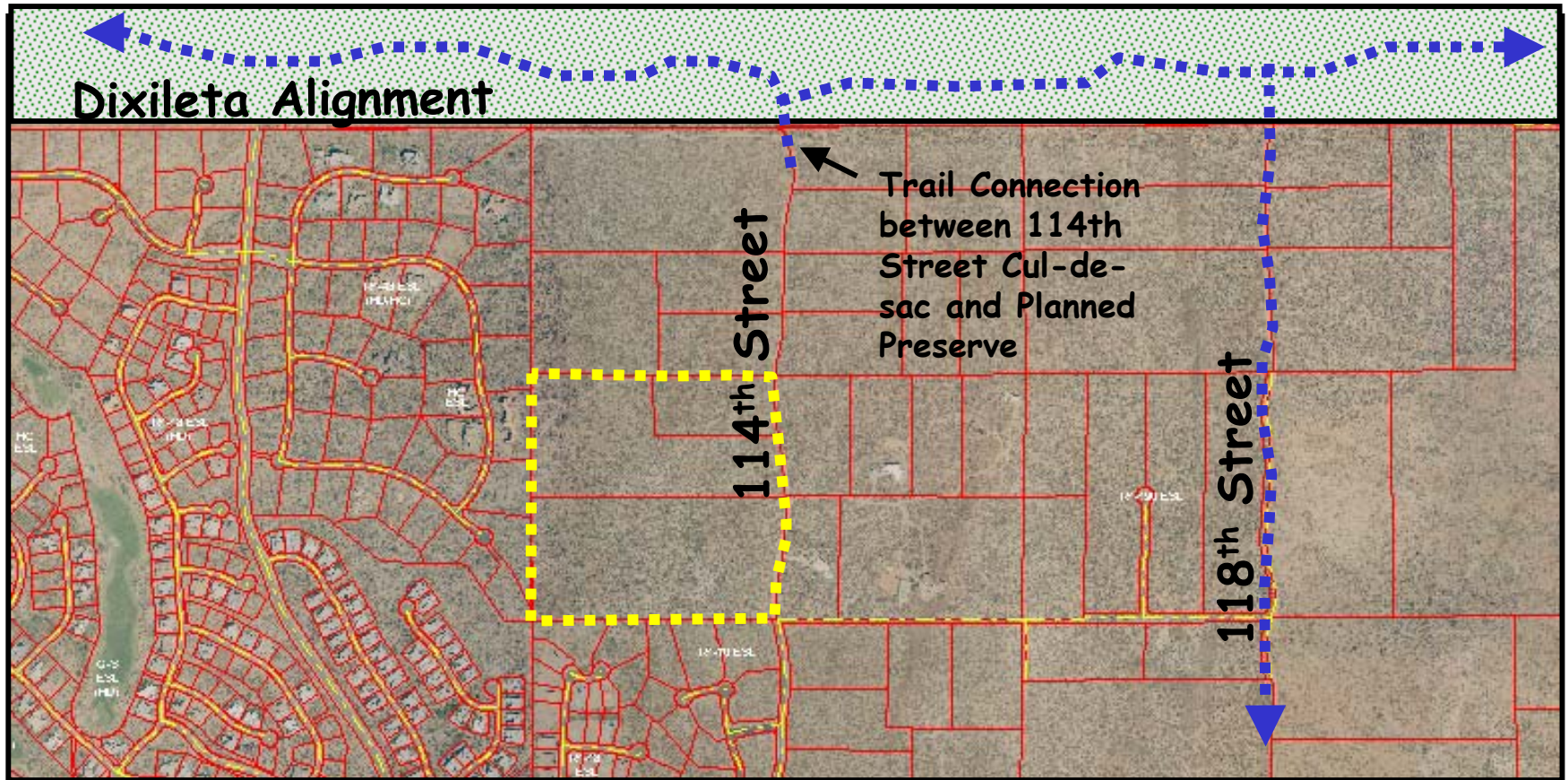


# Goldie Brown Pinnacle Peak Ranch

**3-AB-2004**



# Planned Trails in the Area of 114<sup>th</sup> Street and Dixileta



..... Planned Trails



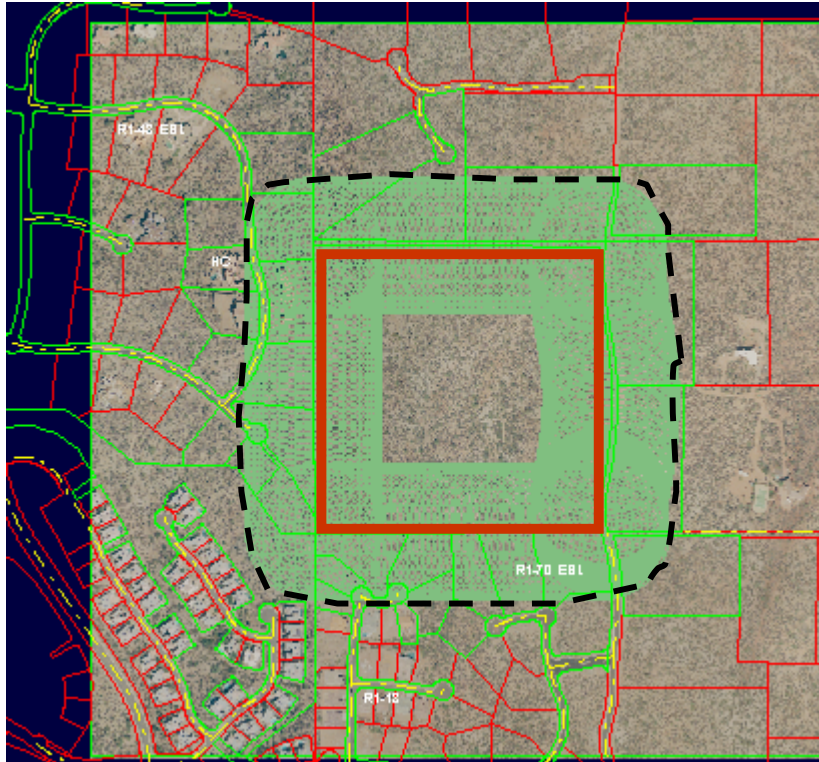
Planned McDowell Sonoran Preserve

Not  
to  
Scale

N ↑

April 2004

# City Notifications – Mailing List Selection Map



## Map Legend:



Site Boundary



Properties within 300-feet

## Additional Notifications:

- Interested Parties

Q.S.  
52-55

Labels pulled 4/7/04



**Goldie Brown Pinnacle Peak Ranch**

**Case 3-AB-2004**

ATTACHMENT #5

EXHIBIT 'B'  
PARCEL 24 GOLDIE BROWN RANCH  
114TH STREET  
JOB NUMBER 109039  
APRIL 8, 2004



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